

REMARKS

The Official Action of August 2, 2005, and the prior art cited and relied upon therein have been carefully reviewed. The claims in the application are now claims 7-10, and these claims define non obvious subject matter warranting their allowance. The applicants accordingly respectfully requests favorable reconsideration and allowance.

Acknowledgement by the PTO of the receipt of applicants' papers filed under Section 119 is noted.

The Examiner has required a new title more indicative of the claimed invention, and has helpfully suggested a new title which has been adopted above.

The Examiner has objected to the Abstract and has required correction.

Applicants have amended the Abstract based on what applicants understand to be the guidelines. However, applicants respectfully object to any "requirement" for correction. Applicants' original Abstract meets all formal requirements, and the amendments presented have been made solely in deference to the Examiner's views.

The commentary concerning "legal phraseology" appears in the guidelines. However, applicants respectfully

maintain that "legal phraseology" can only exist in a legal document, in which all words constitute "legal phraseology"; as the Abstract is not a legal document, no words in the Abstract can constitute "legal phraseology".

The Examiner is thanked for noting the typographical error at page 6, line 22, which has now been corrected above.

New claims 7-10, patentable for the reasons given below, replace original claims 1-6, the latter of which have now been deleted. New claim 7 recites that the translucent sealing body for sealing the light emitting element has a plurality of light emitting surfaces capable of transmitting and emitting light from the light emitting element in the X, Y and Z axial directions, and a light shielding member is configured to shield the light emitting surface or surfaces in only one of the three X, Y and Z axial directions so that light is emitted from light emitting surfaces of two axial directions of the three X, Y and Z axial directions.

If the light emitting surface positioned on one of the three X, Y and Z axial directions is a front light emitting part, the light shielding members are configured to shield top and bottom light emitting parts, with the front light emitting part and side light emitting parts which are

adjacent sides of the front light emitting part being unshielded.

New claim 9 recites that the light emitting diode recited in new claim 7 and an optical wave-guide are mounted on the substrate and the front light emitting part of the light emitting diode is disposed to face the light receiving surface of the optical wave-guide.

Claims 1, 3 and 5 have been rejected as obvious under Section 103 from Parikka USP 6,392,342 (Parikka) in view of Apgar et al USP 3,694,902 (Apgar). This rejection is respectfully traversed.

As pointed out above, new independent claims 7 and 9 call for a light emitting diode (or a back light unit) which permits light emitted from the light emitting part of a light emitting diode to be transmitted in two dimensions, while blocking or shielding light only from another (third) dimension.

On the contrary, Parikka discloses a semiconductor light source 402 in which light emitted from the semiconductor chip 301 is transmitted and emitted from all surfaces of the encapsulation block 302 in X, Y and Z axial directions. However, Parikka does not disclose or suggest the shielded light emitting surface(s) as recited in the new claims 7 and 9 of the present invention.

On the other hand, Apgar discloses the plastic encapsulation 20 having shielded light emitting surfaces. However, in the plastic encapsulation of Apgar, the light emitting surfaces in two axial directions are shielded, and light is emitted from the front surface 26 only, as is clear from the descriptions such as "Portions of the outer surface of the molded transparent member may be ...metal coated for improved light reflection and visual impact" in the Abstract, and "light is emitted from the face 26 in the shape of bar" in the specification, column 4, lines 7 and 8. Also see column 8, lines 32-34, Apgar teaches away from the present invention, and certainly does not teach what is claimed.

In other words, Apgar (US 3,694,902) does not disclose the structure that light is emitted from the light emitting surfaces in two axial directions, as recited in applicants' new claims.

In Apgar, if light is also emitted from an upper surface of the plastic encapsulation 20, the right and left side surfaces of front surface 26 are shielded. On the contrary, the new claims of the present invention in which the up and down light emitting surfaces of the sealing body are shielded differ from the disclosure of Apgar in operation and effects.

Even if it were obvious to combine Parikka and Apgar, i.e. to modify Parikka as taught by Apgar to shield the plastic encapsulation 20 of Apgar so that light would be transmitted in only one direction, the obviousness of which is not conceded by applicants, applicants' claims would still not be reached, i.e. the structure that light is emitted from the front light emitting part and the right and left sides adjacent to the front emitting part, while light from the upper and down light emitting parts are shielded by a light shielding member, would not be achieved, i.e. applicants' claims would not be reached.

Withdrawal of the rejection is order and is respectfully requested.

Claims 2 and 4 have been rejected as obvious for the same reasons and over the same combination of references as applied against claims 1 and 3, further in view of Schoberl USP 4,143,394 (Schoberl). This rejection also is respectfully traversed.

The deficiencies of the proposed combination of Parikka in view of Apgar have been pointed out above, and applicants do not see that Schoberl makes up for these deficiencies. Thus, even if the proposed combination were obvious, it would not reach applicants claims 7 and 9, let

alone claims 8 and 10, which respectively incorporate claims 7 and 9.

As best understood, Schoberl shields to prevent any light emission except in a single direction. To follow Schoberl (or Apgar) would lead one away from the present invention.

Withdrawal of the rejection is in order and is respectfully requested.

Claim 6 has been rejected as obvious over the same references applied against claim 1 and for the same reasons, further in view of Dietiker USP 6,677,707 (Dietiker). This rejection is respectfully traversed.

First, claim 6 depended upon claim 4 and therefore incorporated the subject matter thereof. The rejection of claim 4 apparently required the Schoberl citation, which has not been applied against claim 6. Accordingly, the rejection of claim 6 is not understood in this regard.

Regardless, applicant does not see that the rejection of claim 6 has any relevance to new claims 7-10.

Applicants believe that all issues raised in the Official Action have been addressed above in a manner which should lead to patentability of the present application.

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Accordingly, applicants respectfully request favorable  
reconsideration and allowance.

Respectfully submitted,

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